



1652 #12
VIA HAND DELIVERY JANUARY 21ST, 2003

Docket No.: PF348C1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Duan et al.

Application No.: 10/020,139

Group Art Unit: 1644

Filed: December 18, 2001

Examiner: M. Belyavskiy

For: Polynucleotides Encoding Human Parotid
Secretory Protein (As Amended)

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**STATEMENT BY ATTORNEY FOR APPLICANTS REGARDING PERMANENCE AND
AVAILABILITY OF DEPOSITED PLASMIDS**

Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned attorney of record hereby states:

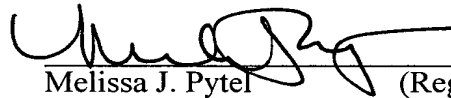
1. A plasmid containing human cDNA encoding a Human Parotid Secretory Protein polypeptide was deposited under the terms of the Budapest Treaty on November 26, 1996 at the American Type Culture Collection (ATCC), Patent Depository, 10801 University Boulevard, Manassas, Virginia 20110-2209 (current address), and given accession number 97811.

2. Assurance is hereby given that: (1) the deposit was made under terms of the Budapest Treaty; (2) except for the limitations allowed by 37 C.F.R. § 1.808(b), all restrictions on the availability to the public of the deposit will be irrevocably removed upon the granting of a patent from the captioned application; (3) the deposit has been made under conditions such that access to the material will be available during the pendency of the captioned patent application to one determined by the Commissioner; and

(4) the deposit will be maintained with the care necessary to keep it viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposit, and in any case, for a period of at least thirty years after the date of deposit or for the enforceable life of the patent, whichever period is longer.

Respectfully submitted,

Date: January 21, 2003



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